

### **REMARKS/ARGUMENTS**

This Amendment is in response to the Final Office Action mailed March 2, 2007.

In the Office Action, the Examiner rejected claims 23, and 29-32 under 35 U.S.C. § 101 and claims 1, 7-12, 18-23, and 29-32 under 35 U.S.C. § 103.

Applicant has amended independent claims 1, 12, and 23 to further clarify embodiments of the invention.

Reconsideration in light of the amendments and remarks made herein is respectfully requested.

#### ***Rejection Under 35 U.S.C. § 101***

Claims 23 and 29-32 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter.

In order to address the Examiner's rejections, Applicant has amended independent claim 23 to recite a machine-readable medium of a storage device having instructions tangibly stored thereon executed by a processor causes the processor to...

Applicant respectfully submits that this amendment overcomes the Examiner's 35 U.S.C. §101 rejection and respectfully requests that the Examiner remove this ground for rejection.

#### ***Rejection Under 35 U.S.C. § 103***

Claims 1, 7-12, 18-23, and 29-32 stand rejected under 35 U.S.C. § 103(a) as being allegedly obvious over U.S. Publication No. 2003/0093792 to Labeeb et al. (hereinafter Labeeb) in view of U.S. Patent No. 6,005,597 issued to Barrett et al. (hereinafter Barrett).

On page 7 of the Office Action, the Office Action states that "Labeeb does not explicitly disclose the content rating and personal reference database...stored as a table." In fact, Applicant respectfully submits that Labeeb does not teach or suggest a content rating table.

Further, Applicant respectfully submits that Barrett likewise does not teach or suggest a content rating table as claimed by Applicant in amended independent claims 1, 12, and 23 in which broadcast data files are rated based on meta-data associated with the broadcast data files, respectively, in response to a content rating table...wherein the content rating table includes at least a rating value and a rating type for broadcasted data files...wherein the rating value is the combination of a relevance value and a believability factor...the relevance value corresponding to a likelihood that a user will want to watch the broadcasted data file based on the descriptions of the meta-data and the believability factor is a weighting factor corresponding to the accuracy of past relevance value determinations...and the rating type indicates whether the rating value is generated explicitly based upon prior explicit input from the user or implicitly generated without prior explicit input from the user...

Because as the Examiner notes, Labeeb does not disclose a content rating table that is utilized in rating a broadcasted data file and because the alleged content rating table of Barrett is dissimilar to Applicant's content rating table and does not teach or suggest the limitations of Applicant's content rating table, Applicant respectfully submits that the combination of Labeeb and Barrett does not teach or suggest the limitations of Applicant's amended independent claims 1, 12, and 23.

Therefore, Applicant respectfully submits that amended independent claims 1, 12, and 23 and the claims that depend therefrom are allowable over the prior art of record and should be passed to issuance.

**Conclusion**

In view of the remarks made above, it is respectfully submitted that pending claims 1, 7-12, 18-23, and 29-31 are allowable over the prior art of record. Thus, Applicant respectfully submits that all the pending claims are in condition for allowance, and such action is earnestly solicited at the earliest possible date. The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application. To the extent necessary, a petition for an extension of time under 37 C.F.R. is hereby made. Please charge any shortage in fees in connection with the filing of this paper, including extension of time fees, to Deposit Account 02-2666 and please credit any excess fees to such account.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: 6/15/2007

By

  
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Attachments

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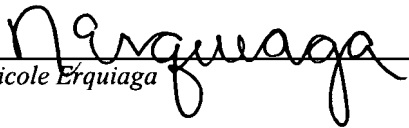
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